

REMARKS

Claims 1-53 are pending in the present application. By this Preliminary Amendment, claims 1, 3, 17, 22, 24, 38 and 40 are amended. Claims 1, 17, 22 and 38 are amended to incorporate features of claims 4, 24 and 40 and currently recite “receiving a file access request from a program, wherein the file access request is for a file and is received at an operating system level and wherein the file is defined by a file name; creating an association between the file name and the program requesting the file access in response to receiving the file access request; and responsive to creating the association, storing the association between the file name and the program, wherein the association is used for subsequent accesses to the file such that a stored association is stored for each file name for which file access is requested by the program.” Claims 3, 24 and 40 are amended in view of the amendments to claims 1, 17, 22 and 38. Support for these amendments may be found at least on page 9, line 22 to page 10, line 15 and page 14, line 23 to page 15, line 2 in the specification. Reconsideration of the claims in view of the above amendments and the following remarks is respectfully requested.

I. Distinctions of the Claims over the Cited Art

The Final Office Action maintains the rejections of claims 1-53 under 35 U.S.C. § 102 as being allegedly anticipated by Atsatt et al. These rejections are respectfully traversed for at least the reasons set forth in the October 15, 2004 Response, the remarks of which are hereby incorporated by reference.

With regard to claim 1, Atsatt does not teach creating an association between the file name and the program requesting the file access in response to receiving the file access request; and, responsive to creating the association, storing the association between the file name and the program, wherein the association is used for subsequent accesses to the file such that a stored association is stored for each file name for which file access is requested by the program.

Although the Examiner asserts that Atsatt specifically teaches various operating systems and their association with respective file(s), the Atsatt reference merely describes

creating an association between various file types, denoted by the extension of the file, and application to run the specified file type. Atsatt does not teach creating an association between the file name and the program requesting the file access in response to receiving the file access request. Furthermore, Atsatt does not teach responsive to creating the association, storing the association between the file name and the program, wherein the association is used for subsequent accesses to the file such that a stored association is stored for each file name for which file access is requested by the program. The only association stored by Atsatt is one of the file extension and the application that runs files with the specified extension.

Independent claims 17, 22, and 38 recite similar features as claim 1. Therefore, the same distinctions between Atsatt and the claimed invention in claim 1 apply for these claims. For the reasons described above, Atsatt does not contain all elements of independent claims 1, 17, 22, and 38. Hence, Atsatt fails to anticipate the present invention as recited in claims 1, 17, 22, and 38. Therefore, for at least the reasons set forth in the Response filed October 15, 2004, and the additional features added by this Preliminary Amendment, the present independent claims 1, 17, 22 and 38 define over the Atsatt reference. At least by virtue of their dependency on claims 1, 17, 22 and 38, the specific features of dependent claims 2-16, 18-21, 23-37 and 39-53 are not taught by Atsatt.

II. Conclusion

It is respectfully urged that the subject application is patentable over the prior art of record and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

Francis Lammes

Francis Lammes
Reg. No. 55,353
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Agent for Applicants